

REMARKS

Claims 1, 15, 36, 37, 40, 41, 44, and 45 have been amended to clarify the subject matter regarded as the invention. Claim 39 has been canceled. Claims 1-38 and 40-53 remain pending.

Applicant notes an apparent clerical error by which the application number and name on the "Office Action Summary" page and on the header of the "Detailed Action" are incorrect. The Office Action clearly applies to the above-captioned application, which is the one identified on the transmittal page under which the Office Action was sent. As such, applicant responds herein on the assumption that the Office Action was meant to apply to the above-captioned case.

The Examiner has rejected claims 1-5, 8-9, 11-13, 15-31, 33, 35-36, 39-49, and 52 under 35 U.S.C. § 102(b) as being anticipated by Yuen. The Examiner has rejected claims 6-7 and 50-51 under 35 U.S.C. § 103(a) as being unpatentable over Yuen in view of Abecassis. The Examiner has rejected claims 10, 14, 32, 34, 37-38, and 53 under 35 U.S.C. § 103(a) as being unpatentable over Yuen in view of Cruz.

The rejection is respectfully traversed. With respect to claim 1, Yuen teaches a video tape player/recorder which monitors the program selection habits of a viewer selecting from a plurality of video tapes. Yuen at 2:24-26. Yuen teaches retrospectively entering a mark associated with a portion of a tape being viewed at the time the mark is entered. Yuen at 26:39 – 27:4. Yuen also teaches automatic entry of marks associated with a portion of a program being viewed and/or recorded at the time the mark is entered. Yuen at 33:65-34:7; 34:40-49. Claim 1 as amended recites, "wherein the non-contemporaneous mark is specified at a time when the recording data with which the non-contemporaneous mark is associated is neither being obtained by the recording unit nor displayed to the recorder." Since the marks taught by Yuen are entered

during either recording or viewing of the associated portion of the tape, claim 1 is believed to be allowable over Yuen.

Claims 2-14 depend from claim 1 and are believed to be allowable for the same reasons described above.

Claim 15 has been amended to recite, “means for mounting one or more components of the recording unit on the person of the recorder,” to clarify that one or more components must be mounted on the person of the user of the recording unit, as opposed to the “body” (e.g., casing) of the recording unit itself. Yuen does not teach any such mounting of one or more components on the person of the user. As such, claim 15 is believed to be allowable.

Claims 16-35 depend from claim 15 and are believed to be allowable for the same reasons described above.

With respect to claim 36, the claim has been amended to incorporate from claim 37 the limitation “wherein at least one mark indicates a level of importance or interest of the content which the marked recording data represents.” Claim 37 was rejected based on Yuen in view of Cruz. However, neither Yuen nor Cruz teaches different types of marks, at least one of which “indicates a level of importance or interest of the content which the marked recording data represents.” Instead, Yuen teaches using marks to provide titles of programs or segments of programs, without regard to the “level of importance or interest.” Yuen at 26:39-27:4; 33:65-34:7; 34:40-49. Cruz teaches compressing data in accordance with the type of data (audio, video, etc.) to optimize compression based on the type of data, but does not teach doing so based on a mark that “indicates a level of importance or interest”. Cruz at 6:36-54. As such, claim 36 is believed to be allowable.

Claims 37 and 38 depend from claim 36 and are believed to be allowable for the same reasons described above.

Claims 40 and 41 have been amended to incorporate the limitations of claim 39, from which they formerly depended, and claim 40 has been further amended to clarify the subject matter regarded as the invention. Claim 39 has been canceled. Claim 40 as amended recites, “a data acquisition device for obtaining recording data representing the content of the event, the recording data comprising data that may be used by a replay system to provide a user-perceptible reproduction of some human-perceptible occurrence that took place during the event,” and “wherein the means for producing a mark and/or supplementing or modifying an existing mark produces, supplements or modifies based on the value of, or an analysis of, the data that may be used by a replay system to provide a user-perceptible reproduction of some human-perceptible occurrence that took place during the event.” Yuen teaches producing a mark comprising program or segment title data based on which program or segment is being broadcast or viewed. Yuen at 26:39-27:4; 33:65-34:7; 34:40-49. Yuen therefore teaches a mark based on a label or name associated with the program data, and not a mark that is produced, supplemented, or modified based on the actual audiovisual or other data of the program itself, for example. As such, claim 40 is believed to be allowable. Similarly, Yuen does not teach producing, supplementing, or modifying a mark “based on the value of, or an analysis of, the data other than the recording data.” For example, the program or segment title information taught by Yuen is simply stored, regardless of its “value” and not based on any “analysis” of that data. Yuen at 26:39-27:4; 33:65-34:7; 34:40-49.

Claims 42 and 43 depend from claim 41 and claim 44 depends from claim 40. As such, claims 42-44 are believed to be allowable for the same reasons described above.

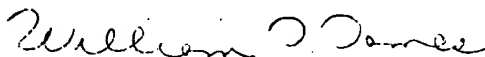
Like claim 1, claim 45 recites, "wherein the non-contemporaneous mark is specified at a time when the recording data with which the non-contemporaneous mark is associated is neither being obtained by the recording unit nor displayed to the recorder." As such, claim 45 is believed to be allowable for the same reasons described above with respect to claim 1.

Claims 46-53 depend from claim 45 and are believed to be allowable for the same reasons described above.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

AMENDMENTS TO THE CLAIMS

1. (Amended) A recording unit for recording an event, comprising:

a data acquisition device for obtaining recording data representing the content of the event;

a data storage device for storing data, including recording data;

a control interface device for enabling a recorder to control operation of the recording unit, the control interface device further comprising marking means for enabling the recorder to specify a non-contemporaneous mark; and

a system controller that causes, in response to the specification of a non-contemporaneous mark by the recorder, the data storage device to store marking data associating the non-contemporaneous mark with recording data obtained at a marked time different from the marking time at which the non-contemporaneous mark was specified by the recorder;

wherein the non-contemporaneous mark is specified at a time when the recording data with which the non-contemporaneous mark is associated is neither being obtained by the recording unit nor displayed to the recorder.

15. (Amended) A portable recording unit for recording an event, comprising:

a data acquisition device for obtaining recording data representing the content of the event;

a data storage device for storing data, including recording data;

a control interface device for enabling a recorder to control operation of the recording unit, the control interface device further comprising marking means for enabling the recorder to specify multiple types of marks;

a system controller that causes, in response to the specification of a mark by the recorder, the data storage device to store marking data associating the specified mark with particular recording data; and

means for mounting one or more components of the recording unit on the [body] person of the recorder.

36. (Amended) A recording unit for recording an event, comprising:

a data acquisition device for obtaining recording data representing the content of the event;

a data storage device for storing data, including recording data;

a control interface device for enabling a recorder to control operation of the recording unit, the control interface device further comprising marking means for enabling the recorder to specify a mark; and

a system controller that causes, in response to the specification of a mark by the recorder, the data storage device to store marking data associating the specified mark with particular recording data, and operation of the recording unit in a predetermined manner in accordance with the type of the mark;

wherein at least one mark indicates a level of importance or interest of the content which the marked recording data represents.

37. (Amended) A recording unit as in Claim 36, wherein:

[at least one mark indicates a level of importance or interest of the content which the marked recording data represents; and]

the system controller causes recording data corresponding to the at least one mark to be compressed in accordance with the level of importance or interest represented by the mark.

40. (Amended) [A recording unit as in Claim 39,] A recording unit for recording an event, comprising:

a data acquisition device for obtaining recording data representing the content of the event, the recording data comprising data that may be used by a replay system to provide a user-perceptible reproduction of some human-perceptible occurrence that took place during the event;

a data storage device for storing data, including recording data;

a control interface device for enabling a recorder to control operation of the recording unit;

means for producing a mark, wherein the means for producing a mark further comprises means for producing a mark and/or supplementing or modifying an existing mark based on the value of, or an analysis of, data acquired by the recording unit; and

a system controller that causes, in response to the specification of a mark by the recorder, the data storage device to store marking data associating each mark with particular recording data;

wherein the means for producing a mark and/or supplementing or modifying an existing mark produces, supplements or modifies based on the value of, or an analysis of, the [recording data] data that may be used by a replay system to provide a user-perceptible reproduction of some human-perceptible occurrence that took place during the event.

41. (Amended) [A recording unit as in Claim 39,] A recording unit for recording an event, comprising:

a data acquisition device for obtaining recording data representing the content of the event;

a data storage device for storing data, including recording data;

a control interface device for enabling a recorder to control operation of the recording unit;

means for producing a mark, wherein the means for producing a mark further comprises means for producing a mark and/or supplementing or modifying an existing mark based on the value of, or an analysis of, data acquired by the recording unit; and

a system controller that causes, in response to the specification of a mark by the recorder, the data storage device to store marking data associating each mark with particular recording data;

wherein:

the recording unit further comprises means for acquiring data other than recording data; and

the means for producing a mark and/or supplementing or modifying an existing mark produces, supplements or modifies based on the value of, or an analysis of, the data other than recording data.

44. (Amended) A recording unit as in Claim [39] 40, wherein the means for producing a mark and/or supplementing or modifying an existing mark produces, supplements or modifies based on the proximity of the marking time to the marked time.

45. (Amended) For use in a recording unit being used by a recorder to record an event, a method for non-contemporaneously marking recording data obtained by the recording unit, comprising the steps of:

identifying the specification of a non-contemporaneous mark; and

in response to an identification of the specification of a non-contemporaneous mark, storing marking data associating the non-contemporaneous mark with recording data obtained at a marked time different from the marking time at which the non-contemporaneous mark was specified;

wherein the non-contemporaneous mark is specified at a time when the recording data with which the non-contemporaneous mark is associated is neither being obtained by the recording unit nor displayed to the recorder.